

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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WFCM 2016-LC25 WEST BAY AREA :  
BOULEVARD, LLC, :  
Plaintiff, : 21-CV-6479 (VSB)  
- against - :  
WILLIAM KORNBLUTH, :  
Defendant. :  
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WFCM 2016-LC25 WEST BAY AREA :  
BOULEVARD, LLC, :  
Plaintiff, : 21-CV-8865 (VSB)  
- against - :  
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CHERYL TYLER, :  
Defendants. :  
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**ORDER**

VERNON S. BRODERICK, United States District Judge:

These two actions were brought by the same Plaintiff for breach of the same financial guaranty. In both actions, Plaintiff seeks the same amount of recovery for failure to pay obligations on the guaranty. In light of this, on December 13, 2021, I consolidated these actions. (Doc. 28.)<sup>1</sup> In that order, I also stayed these actions for 30 days given that Defendant William Kornbluth (“Kornbluth”) had passed away, and, by the end of that 30 days, I directed the parties

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<sup>1</sup> “(Doc. \_\_)” refers to filings on the docket bearing the case number 21-cv-6479.

to submit a status report and a proposed briefing schedule addressing how this case should proceed. (*Id.*) On January 13, 2022, Plaintiff filed a notice of voluntary dismissal as against Kornbluth. (Doc. 29.) The parties have not, however, filed the status report and proposed briefing schedule called for by my prior order. Accordingly, it is hereby

ORDERED that, in light of Plaintiff's seeking to dismiss this action against Kornbluth, (Doc. 29), Kornbluth is DISMISSED as a defendant in this action. It is further

ORDERED that by January 26, 2022, Plaintiff and remaining Defendant Cheryl Tyler ("Tyler") must file a status report and a proposed briefing schedule. In particular, the status report must address whether Tyler intends to oppose the pending motion for summary judgment against her, and if so, Tyler's position as to why there would be good cause within the meaning of Federal Rule of Civil Procedure 6(b) to extend her time to oppose the summary judgment motion.

The Clerk of Court is respectfully directed to close the open motions on the 21-cv-6479 docket at docket numbers 11 and 14.

SO ORDERED.

Dated: January 18, 2022  
New York, New York

  
Vernon S. Broderick  
United States District Judge